



Fire and Police Commission

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Fire and Police Commission - Established 1885

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Executive Director Statement on Vehicle Pursuits

Police pursuit driving is a controversial and dangerous activity. The traffic accidents that have resulted from pursuits exemplify their danger. Nationwide, approximately 40% of all pursuits result in a crash, 20% result in injury, and 1% result in death. Pursuits that result in accidents and injury to innocent civilians are always judged in hindsight and frequently are based on a determination by the public of whether the officer should have initiated a pursuit for a minor traffic violation. In contrast, the debate on pursuit policy in general usually emphasizes the importance of apprehending a suspect, regardless of the underlying offense that initiated the pursuit.¹ This debate will continue until technology develops useful methods of terminating vehicle pursuits without the need for dangerous high-speed driving tactics.

The Milwaukee Police Department (MPD) policy attempts to balance the basic dilemma of high-speed pursuits-whether the benefits of potentially apprehending a suspect outweigh the risk of endangering our police officers and the public. The policy also balances legal liability and the potential for the City to be held accountable for large civil damages when a pursuit is judged in hindsight by a jury and the public. Every Milwaukee Police Officer receives training on the pursuit policy and emergency driving techniques.

The MPD policy may be difficult to fully explain in its entirety by a news media limited to very short stories. Contrary to some interpretations, the policy does not strictly prohibit initiating a pursuit of burglars, drug dealers, and other criminals. Furthermore, the policy does not limit pursuit solely to instances when an officer believes a suspect was involved in a violent felony. The policy does give

¹ FBI Law Enforcement Bulletin, April 2009, page 5

guidance and direction to officers that must make split-second decisions on the street. The policy requires officers and their supervisors to balance the safety of the public with the need to immediately apprehend a suspect.

Vehicle pursuits are justified in MPD policy only when the police member knows or has probable cause to believe:

- 1) The occupant(s) has committed, is committing, or is about to commit a violent felony (i.e. armed robbery, recklessly endangering safety, and other crimes against a person in which violence is an element to the felony offense); or
- 2) The occupant(s) presents a clear and immediate threat to the safety of others and therefore the necessity of immediate apprehension outweighs the level of danger created by vehicle pursuit.

The policy gives officers the discretion they need to pursue a suspect when the safety of others is in danger. A key objective is to prevent officers from initiating or continuing a dangerous high-speed pursuit with someone who is not an immediate danger to the public. Research on best practices of major city police departments and academic research on pursuit accidents supports this objective.

The MPD policy on vehicle pursuits is posted on the Fire and Police Commission website at <http://www.city.milwaukee.gov/fpc>. We encourage members of the public to view the policy as actually written and make their own judgments as to its effectiveness. We will continue evaluating the policy and to make modifications as our information data base and real-time experience dictates.

Sincerely,

Michael G. Tobin
Executive Director

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